

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven A. Bogen and Herbert H. Loeffler

Application No.: 09/702,298 Group: 1743

Filed: October 31, 2000 Examiner: Lyle Alexander

Confirmation No.: 3668

For: AUTOMATED SLIDE STAINER WITH SLIDE HOUSING (AMENDED)

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
2-9-06	Carol M. Bowerman
Date	Signature
Carol M. Bowerman	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

02/14/2006 SHASSEN1 00000022 09702298

This Information Disclosure Statement is submitted:

02 FC:1806

180.00 0P

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

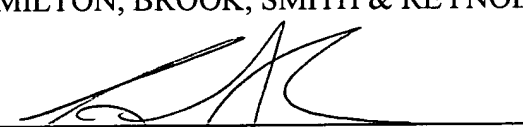
Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


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Dated: 2/9/04

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
1159.1004-005APPLICATION NO.
09/702,298SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT IN AN APPLICATION

February 2, 2006

(Use several sheets if necessary)

FIRST NAMED INVENTOR
Steven A. BogenFILING DATE
October 31, 2000EXAMINER
Lyle AlexanderCONFIRMATION NO.
3668GROUP
1743

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AB6	3,979,576	09-1976	Janson
	AC6	4,384,193	05-1983	Kledzik et al.
	AD6	4,629,862	12-1986	Kitagawa et al.
	AE6	4,858,155	08-15-1989	Okawa et al.
	AF6	4,865,986	09-12-1989	Coy et al.
	AG6	5,105,066	04-1992	Houdy et al.
	AH6	5,207,987	05-1993	Kureshy et al.
	AI6	5,280,156	01-1994	Niori et al.
	AJ6	5,496,518	03-1996	Arai et al.
	AK6	5,523,056	06-1996	Miller
	AA7	5,601,141	02-11-1997	Gordon et al.
	AB7	4,430,299	02-07-1984	Horne
	AC7	6,296,809	10-02-2001	Richards et al.
	AD7	4,296,069	10-20-1981	Smith et al.
	AE7	2004/0191128 A1	09-30-2004	Bogen et al.
	AF7	6,827,900	12-2004	Thiem et al.
	AG7	6,582,962	06-2003	Richards et al.
	AH7	6,495,106	12-2002	Kaira et al.
	AI7	2004/0241050	12-2004	Bogen et al.
	AJ7	2002/0054830	05-2002	Bogen et al.
	AK7	4,670,219	06-02-1987	Nelson et al.
	AA8	5,178,834	01-1993	Kagayama et al.
	AB8	5,589,649	12-1996	Brinker et al.
	AC8	5,023,187	6-11-91	Koebler et al.

EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION February 2, 2006 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 1159.1004-005		APPLICATION NO. 09/702,298	
	FIRST NAMED INVENTOR Steven A. Bogen		FILING DATE October 31, 2000	
	EXAMINER Lyle Alexander		CONFIRMATION NO. 3668	GROUP 1743

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AD8	5,075,079	12-1991	Kerr et al.
	AE8	6,541,261	04-2003	Bogen et al.
	AF8	6,783,733	08-2004	Bogen et al.

EXAMINER	DATE CONSIDERED
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EXAMINER	DATE CONSIDERED
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February 2, 2006

(Use several sheets if necessary)

GROUP
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AV

"The Complete Immunoperoxidase System," IMMULOK, advertisement, 1 page.

AW

United States Court of Appeals for the Federal Circuit, *Cytologix Corporation v. Ventana Medical Systems, Inc.*, Case No. 04-1446, Decision decided September 21, 2005, pp: 1-18.

EXAMINER

DATE CONSIDERED